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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,418	07/16/2003	Kim Andrew Leblanc	49519-2	7352
7590	04/02/2004		EXAMINER	
Ms. Roseann B. Caldwell BENNETT JONES LLP 4500, 855 - 2nd STREET S.W. Galgary, AB T2P 4K7 CANADA			PECHHOLD, ALEXANDRA K	
			ART UNIT	PAPER NUMBER
			3671	
DATE MAILED: 04/02/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/619,418	LEBLANC, KIM ANDREW	
	<b>Examiner</b>	<b>Art Unit</b>	
	Alexandra K Pechhold	3671	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/18/03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because on pages 8 and 9 of the Specification, the description of Figures 12-14 and does not match up properly with those Figures, since it appears they are one off. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claim 3 is objected to because of the following informalities: it appears that "sided" in the second line of the claim should be "side". Appropriate correction is required.

3. Claim 6 is objected to because of the following informalities: it appears that "taunt" in the second line of the claim should be "taut". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**5. Claims 1-5 and 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsung-Ping (US 6,119,811).**

Regarding claim 1, Tsung-Ping discloses a collapsible loading ramp comprising:

- at least a pair of longitudinal support structures, seen as supporting rods (10), each having an upper surface and including a raised post extending from the upper surface, seen as either shaft (30) or rod (33);
- a cross member formed to attached between the at least a pair of longitudinal support structures by removably engaging against the posts, seen as steps (15); and
- the at least a pair of longitudinal support structures and the cross member being separable from the others for disassembly and collapsing of the ramp, as illustrated in Figs. 2, 6, and 7.

Regarding claim 2, a pair of side supports can be viewed as control means (20), which extends between upper and lower steps.

Regarding claim 3, as Figs. 3 and 4 illustrate the control means (20) having two sides , either of which can be viewed as being mounted against the longitudinal support structures, seen as supporting rods (10).

Regarding claim 4, Tsung-Ping discloses that the control means (20) is inserted into the step (15) (Col 4, lines 21-38), and this connection will inherently have some flex therebetween before the rod (33) and shaft (30) are inserted therein.

Regarding claim 5, the hinge connections are depicted in Figs. 6 and 7.

Art Unit: 3671

Regarding claim 7, a shock absorber can be viewed the regulating spring (39) of Tsung-Ping.

Regarding claim 8, Fig. 2 of Tsung-Ping illustrates an aperture extending inwardly from the end of the step (15), which can be fit over the post on the support structure.

Regarding claim 9, the angled head can be viewed as the top "mushroom" portion of shaft (30) or rod (33) in Fig. 2, since it is angled from the cylindrical part of the shaft or rod, under which the cross members, seen as steps (15) can be slid to be locked against lifting vertically off the post.

Regarding claim 10, Figs. 7 and 8 of Tsung-Ping illustrate the stacking of steps (15).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsung-Ping (US 6,119,811) as applied to claim 5 above, and further in view of Martin (US 6,135,532).** Tsung-Ping fails to disclose a safety cable connected about the hinge. Martin teaches a hinge assembly (58) seen in Figs. 3, 4, 7, and 8 having a cable (110) connected about the hinge assembly (58), such that when

Art Unit: 3671

the cable is pulled taut about the hinge, it will prevent the hinge from overrotating when a load is applied to the ramp. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the collapsible ramp of Tsung-Ping to include a safety cable connected about the hinge as taught by Martin, since Martin states in column 5, lines 30-34 that the assembly is arranged to distribute a uniform load over the load cable; this inherently will impede overrotation of the hinge when a load is applied to the ramp.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexandra Pechhold whose telephone number is (703) 305-0870. The examiner can normally be reached on Mon-Thurs. from 8:00am to 5:30pm and alternating Fridays from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached on (703)308-3870. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.



**Thomas B. Will**  
**Supervisory Patent Examiner**  
**Group 3600**

AKP  
3/30/04